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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,324	11/15/2001	Mark Frigon	SAC-P0002	5004

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DALINA LAW GROUP, P.C.
7910 IVANHOE AVE. #325
LA JOLLA, CA 92037

EXAMINER	
BETIT, JACOB F	

ART UNIT	PAPER NUMBER
2169	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@dalinalaw.com
jmayo@dalinalaw.com

Office Action Summary	Application No.	Applicant(s)	
	09/991,324	FRIGON, MARK	
	Examiner	Art Unit	
	Jacob F. Bétit	2169	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *90,98,103 and 106-122* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *90,98,103 and 106-122* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 18 March 2009 has been entered.

Remarks

2. In response to communications filed on 18 March 2009, claims 90, 98, 103, 108, 114, 115, and 117 have been amended and claims 118-122 are added per the applicant's request. Claims 90, 98, 103, 106-122 are presently pending in the application.

3. In the Remarks section of Applicant's response, Applicant has referred to the specification by paragraphs. The applicant has not provided paragraph number in the specification as originally filed and therefore should reference paragraphs by page and line number.

Claim Objections

4. Claims 103, 111, 118-122 are objected to because of the following informalities:

Claim 103 states, "location information that identifies coordinates of said of at least one object". This statement uses incorrect grammar. For the purposes of examination the examiner

will assume that it was meant --location information that identifies coordinates of said at least one object--.

Claims 111 and 118 do not end in a period. Claims must being with a capital letter and end in a period. See MPEP §608.01(m).

Claims 119-122 are objected for depending from objected to independent claim 118.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 90, 98, 103, and 106-122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Manolis et al. (U.S. patent No. 7,243,079 B1) in view of Shneiderman (U.S. patent No. 7,101,751 B2).

As to claim 90, Manolis et al. teaches in a multi-user computer network, a method for obtaining and displaying information relating to existence of at least one object in an image comprising:

assigning a unique user identification to a providing user (see column 5, lines 10-19);

accepting identification information about said providing user (see column 5, lines 20-50);

storing said unique user identification and said identification information about said providing user in a provider users database on a second computer (see column 5, line 60 through column 6, line 41);

obtaining image data comprising at least one object from said providing user (see column 5, line 60 through column 6, line 41;

assigning a unique image identification to said image data (see column 5, line 60 through column 6, line 6column 8, lines 35-52);

storing said unique image identification and said unique user identification in an identifications database on said second computer (see column 5, lines 20-50);

presenting a client interface on a first computer configured for said providing user of to provide identifying information (see figure 19);

presenting a second client interface on said first computer configured for said providing user to create at least one contact relationship with another user (see column 9, line 52 through column 10, line 9);

obtaining said identifying information from said providing user (see column 8, lines 35-52);

storing said identifying information on said second computer where said identifying information is searchable by a plurality of searching users (see column 10, lines 19-43);

presenting a search interface to at least one searching user of said plurality of searching users (see column 10, lines 19-43, “keyword search for “Jacob”);

receiving a request for at least one image within said image data from said at least one searching user (see column 10, lines 19-43, “keyword search for “Jacob”);

performing a query that returns said at least one result object found in said image data (see column 10, lines 19-43, "retrieve all images of Jacob".

Manolis et al. does not distinctly disclose:

(a) wherein said identifying information comprises information that uniquely identifies said at least one object in said image data and wherein said identifying information further comprises location information that identifies coordinates of said at least one object and wherein said identifying information further comprises data obtained from a list of said at least one contact relationship;

(b) where said at least one image comprises at least one result object; and

(c) obtaining data associated with said at least one result object from said second computer in response to said request, said data represents said identifying information provided by said providing user for said at least one result object, said data further comprising said identification information about said providing user; and

(d) presenting said data associated with said at least one result object to said at least one searching user that initiated said request and presenting said identifying information at said coordinates of said at least one object.

Shneiderman teaches (a) see column 7, lines 46-56 and see column 8, lines 8-12 and see column 12, lines 41-50; (b) see column 5, lines 4-12; (c) see column 5, lines 22-29; and (d) see column 5, lines 25-29. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Manolis et al. to include the teachings of Shneiderman because these teachings would allow users to associate names with objects that are located within the images posted on the online photo site.

As to claim 98, Manolis et al. teaches in a multi-user computer network, a method for obtaining and displaying information relating to existence of at least one object in an image comprising:

assigning a unique user identification to a providing user (see column 5, lines 10-19);

accepting identification information about said providing user (see column 5, lines 20-50);

storing said unique user identification and said identification information about said providing user in a provider users database on a second computer (see column 5, line 60 through column 6, line 41);

obtaining at least one image data comprising at least one object from said providing user (see column 5, line 60 through column 6, line 41);

assigning a unique image identification to said image data (see column 5, line 60 through column 6, line 6 and see column 8, lines 35-52);

storing said unique image identification and said unique user identification in an identifications database on said second computer (see column 5, lines 20-50);

presenting a client interface on at least one first computer configured for said providing user to provide identifying information associated with said image data (see figure 19);

presenting a second client interface on said at least one first computer for said providing user to create at least one contact relationship with another user (see column 9, line 52 through column 10, line 9);

obtaining said identifying information from said providing user of said plurality of providing users (see column 8, lines 35-52

storing said identifying information on said second computer (see column 10, lines 19-43);

presenting a search interface on said at least one first computer to said at least one searching user of said plurality of searching users;

receiving a request for at least one search object within said at least one image data from said at least one searching user of said plurality of searching users (see column 10, lines 19-43, "keyword search for 'Jacob'");

performing a query that returns at least one result image data comprising said at least one search object wherein said at least one result image data comprises image data found in at least one album (see column 10, lines 19-43, "retrieve all images of Jacob").

Manolis et al. does not distinctly disclose:

(a) wherein said identifying information comprises information that uniquely identifies said at least one object in said image data and wherein said identifying information further comprises location information that identifies coordinates of said at least one object in said image data and wherein said identifying information further comprises data obtained from a list of said at least one contact relationship;

(b) wherein said identifying information uniquely identifies a single object within said image data and where identifying information for said at least one image data is searchable by at least one searching user of a plurality of searching users;

(c) obtaining data associated with said at least one result image data from said second computer in response to said request, said data comprising said identification information about said providing user; and

(d) presenting said data associated with said at least one result image data and said at least one result image data on said at least one first computer to said at least one searching user of said plurality of searching users that initiated said request and presenting said identifying information at said coordinates of said at least one object, said identifying information includes one or more identifying pages presented to said at least one searching user of said plurality of searching users.

Shneiderman teaches (a) see column 7, lines 46-56 and see column 8, lines 8-12 and see column 12, lines 41-50; (b) see column 5, lines 4-12; (c) see column 5, lines 22-29; and (d) see column 5, lines 25-29. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Manolis et al. to include the teachings of Shneiderman because these teachings would allow users to associate names with objects that are located within the images posted on the online photo site.

As to claim 103, Manolis et al. teaches a system for obtaining and displaying information relating to

existence of at least one object in an image comprising:

means for assigning a unique user identification to a providing user (see column 5, lines 10-19);

means for accepting identification information about said providing user (see column 5, lines 20-50);

means for storing said unique user identification and said identification information about said providing user in a providing users database on a second computer (see column 5, line 60 through column 6, line 41);

means for obtaining image data comprising at least one object from said user (see column 5, line 60 through column 6, line 41);

means for assigning a unique image identification to said image data (see column 5, line 60 through column 6, line 6 and see column 8, lines 35-52);

means for storing said unique image identification and said unique user identification in an identifications database on said second computer (see column 5, lines 20-50);

means for presenting a client interface on at least one first computer configured for said providing user to provide identifying information associated with said at least one object in said image data (see figure 19);

means for creating at least one contact relationship with another user (see column 9, line 52 through column 10, line 9);

means for obtaining said identifying information from said at least one providing user (see column 9, lines 35-52);

means for storing said identifying information in said second computer (see column 10, lines 19-43);

means for presenting a search interface on said at least one first computer to at least one searching user of a plurality of searching users (see column 10, lines 19-43, "keyword search for 'Jacob'");

means for performing a query that returns at least one result image data wherein said at least one result image data comprises image data found in at least one album (see column 10, lines 19-43, "retrieve all images of Jacob");

means for obtaining said at least one result image data from said second computer in response to said request (see column 10, lines 19-43, "retrieve all images of Jacob";

means for obtaining identification information about said providing user (see column 5, lines 20-50);

means for presenting via a graphical user interface said at least one result image data and said corresponding identifying information about said providing user to said to at least one searching user that initiated (see column 9, line 66 through column 10, line 9).

(a) wherein said identifying information comprises information that relates to said at least one object in said image data and wherein said identifying information further comprises location information that identifies coordinates of said of at least one object in said image data and wherein said identifying information is searchable by at least one searching user and wherein said identifying information further comprises data obtained from a list of said at least one contact relationship;

(b) wherein said identifying information uniquely identifies a single object of said at least one object;

(c) means for receiving via said search interface a request from said at least one searching user for at least one object within said image data;

(d) returning a result having said at least one object;

(e) means for obtaining corresponding identifying information associated with said at least one search object in said at least one result image data;

(f) said request and means for presenting said identifying information at said coordinates of said at least one object; and

(g) means for associating a hyperlink with said at least one result image data to initiate a request for other image data.

Shneiderman teaches (a) see column 7, lines 46-56 and see column 8, lines 8-12 and see column 12, lines 41-50; (b) see column 5, lines 4-12; (c) see column column 5, lines 13-21; (d) see figures 1 and 7; (e) see column 5, lines 22-29; (f) see column 5, lines 25-29 (g) see column 7, lines 33-38. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Manolis et al. to include the teachings of Shneiderman because these teachings would allow users to associate names with objects that are located within the images posted on the online photo site.

As to claim 106, Manolis et al. as modified, teaches wherein said at least one result object has an associated hyperlink adapted to initiate a request for other image data comprising said at least one result object (see Shneiderman, column 7, lines 33-38).

As to claim107, Manolis et al. as modified, teaches wherein said at least one result image data presented to said at least one searching user of said plurality of searching users has an associated hyperlink adapted for initiating a request for other image data (see Shneiderman, column 7, lines 33-38).

As to claim 108, Manolis et al. as modified, teaches wherein said identifying information is provided by said at least one searching user of said plurality of users for said at least one image data (see Shneiderman, column 7, lines 42-46).

As to claim 109, Manolis et al. as modified, teaches wherein said query is performed by said plurality of searching users to produce a result comprising a same at least one result image data (see Manolis et al., column 10, lines 19-43).

As to claim 110, Manolis et al. as modified, teaches wherein said identifying information used in performing requested query by said at least one searching user comprises identifying information searchable by said at least one of said plurality of searching users (see Manolis et al., column 10, lines 19-43).

As to claim 111, Manolis et al. teaches wherein said identifying information is provided by said providing user (see Manolis et al., column 10, lines 19-43).

As to claim 112, Manolis et al. as modified, teaches wherein said query is performed by said plurality of searching users to produce a result comprising a same at least one result image data (see Manolis et al., column 10, lines 19-43).

As to claim 113, Manolis et al. teaches wherein said identifying information used in performing requested query by said at least one searching user comprises identifying information searchable by said at least one searching user of said plurality of searching users (see Manolis et al., column 10, lines 19-43).

As to claim 114, Manolis et al. teaches in a multi-user computer network, a method for obtaining and displaying information relating to the existence of at least one object in an image comprising:

assigning a unique user identification to a providing user (see column 5, lines 10-19);

accepting identification information about said providing user (see column 5, lines 20-50);

storing said unique user identification and said identification information about said providing user in a providing users database on at least one server computer (see column 5, line 60 through column 6, line 41);

obtaining image data comprising at least one object from said providing user (see column 5, line 60 through column 6, line 41);

assigning a unique image identification to said image data (see column 5, line 60 throug column 6, line 6 and see column 8, lines 35-52);

storing said unique image identification and said unique user identification in an identifications database on said at least one server computer (see column 5, lines 20-50);

storing image data on said at least one server computer comprising representations of an identifiable person (see column 10, lines 19-43, "Jacob");

presenting an interface on a client computer configured for providing user to provide identifying information about said identifiable person (see column 10, lines 19-43 "Jacob");

presenting a second interface on said client computer configured for said at least one providing user to create at least one contact relationship with another user (see column 9, line 52 through column 10, line 9);

obtaining said identifying information from said providing user (see column 8, lines 35-52);

storing said identifying information in said at least one server computer where said identifying information is searchable by a plurality of searching users (see column 10, lines 19-43);

presenting a search interface on said client computer to a first at least one searching user of said plurality of searching users (see column 10, lines 19-43, "keyword search for 'Jacob'");

receiving a request for said image data having said identifiable person from said first at least one searching user (see column 10, lines 19-43, "retreive all images of Jacob");

performing a first query that returns said image data having said identifiable person (see column 10, lines 19-43, "retreive all images of Jacob");

presenting said image data associated with said identifiable person to said first at least one searching user that initiated said request (see column 10, lines 19-43, “retreive all images of Jacob");

presenting said search interface to a second at least one searching user of said plurality of searching users (see column 5, lines 51-59);

receiving a request for said image data having said identifiable person from said second at least one searching user, said request comprising said identifying information about said identifiable person (see column 10, lines 19-43, “retreive all images of Jacob");

performing a second query that returns said image data having said identifiable person (see column 10, lines 19-43, “retreive all images of Jacob").

Manolis et al. does not distinctly disclose:

(a) wherein said identifying information comprises information that uniquely identifies said identifiable person in said image data and wherein said identifying information further comprises location information that identifies coordinates of said at least one object in said image data and wherein said identifying information further comprises data obtained from a list of said at least one contact relationship created by said at least one providing user;

(b) said request comprising said identifying information about said identifiable person);

(c) presenting said identifying information with said image data

(d) presenting data associated with said image data and said image data associated with said identifiable person to said second at least second one searching user that initiated said request, said data associated with said image data further comprising said identification information about said providing user; and,

(e) presenting said identifying information with said identifiable person.

Shneiderman teaches (a) see column 8, lines 8-12 and see column 12, lines 41-50; (b) see column 5, lines 13-21; see column 6, lines 9-18; and see column 10 lines 44-52; (c) see column 5, lines 20-24; (d) see column 5, lines 25-29; and (e) column 5, lines 25-29. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Manolis et al. to include the teachings of Shneiderman because these teachings would allow users to associate names with objects that are located within the images posted on the online photo site.

As to claim 115, Manolis et al. teaches in a computer system, a method for enabling website users to contribute digital photographs to a website comprising:

assigning a unique user identification to a providing user (see column 5, lines 10-19);

accepting identification information about said providing user (see column 5, lines 20-50);

storing said unique user identification and said identification information about said providing user in a providing users database on a second computer (see column 5, line 60 through column 6, line 41);

obtaining image data comprising at least one object from said providing user (see column 5, line 60 through column 6, line 41);

assigning a unique image identification to said image data (see column 5, line 60 through column 6, line 6 and see column 8, lines 35-52);

storing said unique image identification and said unique user identification in an identifications database on said second computer (see column 5, lines 20-50);

creating a contact relationship between website users (see column 9, line 52 through column 10, line 9);

storing an association between said website users when said contact relationship exists (see column 5, lines 51-59);

Manolis et al. does not distinctly disclose:

(a) presenting a digital photograph having at least one of said website users;

(b) identifying which of said at least one of said website users are in said digital photograph;

(c) accepting search values identifying said at least one of said website users; and

(d) displaying said digital photograph and said identification information about said providing user.

Shneiderman teaches (a) see column 5, lines 25-29; (b) see column 7, lines 42-46; (c) see column 5, lines 20-24); (d) see column 5, lines 25-29. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Manolis et al. to include the teachings of Shneiderman because these teachings would allow users to associate names with objects that are located within the images posted on the online photo site.

As to claim 116, Manolis et al. as modified, teaches wherein said search values comprises a request for a listing of said digital photograph having said at least one of said website users (see Manolis et al., abstract).

As to claim 117, Manolis et al. as modified, teaches wherein said website users each have an associated email address that is unique to each specific user within said website users (see Manolis et al., column 5, lines 10-19).

As to claim 118, Manolis et al. teaches in a multi-user computer network, a method for obtaining and displaying information relating to existence of at least one user of a computer network in an image comprising:

assigning a unique user identification to users of a computer network (see column 5, lines 10-19);

obtaining image data from at least one user of said computer network (see column 5, line 60 through column 6, line 41);

assigning a unique image identification to said image data (see column 5, line 60 through column 6, line 6 and see column 8, lines 35-52);

presenting a client interface on a first computer configured for said at least one user of said computer network to provide identifying information (see figure 19);

obtaining said identifying information from said at least one providing user (see column 5, lines 20-50); and

storing said identifying information on a second computer where said identifying information is searchable by a plurality of searching users (see column 10, lines 19-43);

presenting a search interface to at least one searching user of said plurality of searching users (see column 10, lines 19-43, "keyword search for 'Jacob'");

receiving a request for at least one image within said image data from said at least one searching user, where said at least one image comprises at least one result object (see column 10, lines 19-43 "retrieve all images of Jacob");

performing a query that returns said at least one result object found in said image data (see column 10, lines 19-43 "retrieve all images of Jacob");

obtaining data associated with said at least one result object from said second computer in response to said request, said data represents said identifying information provided by said at least one user for said at least one result object (see column 7, lines 12-27), and,

presenting said data associated with said at least one result object to said at least one searching user that initiated said request (see column 7, lines 12-27 “image to be displayed along with other information pertaining to the image”).

Manolis et al. does not distinctly disclose:

(a) wherein said identifying information comprises a user identifier of other users of said computer network;

(b) wherein said identifying information comprises a user identifier of said at least one user of said computer network in said image data

(c) said data further comprising identification information about said at least one user of said computer network.

Shneiderman teaches (a) see column 9, line 64 through column 10, line 8; (b) see column 7, lines 46-56 and see column 9, line 64 through column 10, line 8; (c) see column 9, line 64 through column 10, line 8. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Manolis et al. to include the teachings of Shneiderman because these teachings would allow users to associate names with objects that are located within the images posted on the online photo site.

As to claim 119, Manolis et al. as modified, teaches wherein said identifying information further comprises location information that identifies coordinates of said at least one result object (see Shneiderman, column 8, lines 8-12 and see column 12, lines 41-50).

As to claim 120, Manolis et al. as modified, teaches wherein said user identifier in said identification information obtained by said second computer from a user of said computer network is selected from a relationship between users of said computer network (see Shneiderman, column 9, line 64 through column 10, line 8).

As to claim 121, Manolis et al. teaches wherein presenting said identifying information further displays identifying information at said coordinates of said at least one result object in said image data (see Shneiderman, column 8, lines 8-12 and see column 12, lines 41-50).

As to claim 122, Manolis et al. teaches wherein upon obtaining said identifying information from said at least one providing user, an email is sent to any email address

associated with those users identifiers in said identifying information of said computer network, said email notifying users of said computer network that their user identifier had been associated with said image data (see Shneiderman, column 9, line 64 through column 10, line 8)).

Response to Arguments

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Bétit whose telephone number is (571)272-4075. The examiner can normally be reached on Monday through Friday 9:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tony Mahmoudi can be reached on (571) 272-4078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Jacob F Bétit/
Examiner, Art Unit 2169

jfb
26 May 2009